IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 17703 of 2004

Between:

Dr.G.Ravindranatha Sarma S/o.Dr.G.Kantha Rao, r/o.Sai Veena Apartments Vivekananda Road, Puttaparthy, Ananthapur District.

..... PETITIONER

AND

1 The Superintendent of Police Ananthapur District.
2 The Dy.Superintendent of Police Puttaparthy, Ananthapur District.
3 The Station House Officer Puttaparthy, Ananthapur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction, more particularly one in the nature writ of Mandamus, directing the 1st respondent to give police protection to the petitioner and his family members from illegal interference caused by the respondents 2 and 3 after filing the Charge Sheet in Cr.No. 6 of 2002 by declaring the action of the respondents 2 and 3 in threatening the petitioner by calling to the Police Station and harassing on flimsy grounds as illegal, arbitrary and unconstitutional and consequently direct the respondents not to interfere with the petitioners liberty pending the finalization of Criminal case.

Counsel for the Petitioner: MR.J.U.M.V.PRASAD (Not present)

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following :

-

-

-

-

-

-

-

-

-

-

-

-

ORDER:

-

None appears for the petitioner. Heard the learned Government Pleader for Home appearing on behalf of the respondents.

This writ petition is filed seeking a direction to respondent No.1 to give police protection to the petitioner and his family members from illegal interference caused by respondent Nos.2 and 3 after filing charge sheet in Cr.No.6 of 2002 by declaring the action of respondent Nos.2 and 3 in threatening and harassing the petitioner by calling to the police station, as illegal, arbitrary and unconstitutional, and consequently to direct the respondents not to interfere with the petitioner's liberty pending finalization of the criminal case.

A counter-affidavit is filed on behalf of the respondents denying the averments made in the affidavit filed in support of the writ petition. It is stated that on the complaint lodged by one Chinnappa Reddigari Rami Reddy, respondent No.3 registered a case in Cr.No.6/2002 under Section 420 IPC of Puttaparthy Police Station against the petitioner and other accused and thereafter all the accused including the petitioner absconded. It is stated that the petitioner's wife who is accused No.2 in the crime obtained anticipatory bail, and on 24-7-2004 the petitioner was arrested and sent to remand. It is stated that from 03-8-2004 at 1.30 p.m. to
04-8-2004 at 9 a.m. the petitioner was taken into police custody and as he did not cooperate with the investigating officer, nothing could be elicited from him. It is stated that after completion of investigation, a charge sheet was filed on 25-6-2004 before Judicial First Class Magistrate at Penukonda. The allegations that

respondent No.2 called the petitioner and demanded huge amount and that respondent No.2 bore grudge against the petitioner and started harassing him and initiated criminal cases against him at the instance of third party complaints and that respondent Nos.2 and 3 were harassing the petitioner and his family members by calling them to police station and keeping them for hours together in spite of filing charge sheet, etc., are all not true, baseless and hence denied.

In view of the above averments in the counter-affidavit filed on behalf of the respondents, no further orders are required to be passed in this writ petition. Accordingly, the writ petition is closed. No costs.

_____

N.V. RAMANA, J

Date: 26-4-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Superintendent of Police Ananthapur District.
2 The Dy.Superintendent of Police Puttaparthy, Ananthapur District.
3 The Station House Officer Puttaparthy, Ananthapur District.

4 Two Ccs. to the Government Pleader for Home, High Court Buildings, A.P., Hyderabad (OUT).

5 Two CD copies

*Form-NIC-OGS/WP{**MPL**}*